

REMARKS

The courtesies extended to the undersigned by Examiner Hinze and Supervisory Examiner Hirshfeld during the interview held June 30, 2004 are acknowledged and appreciated. As discussed during the interview, it is believed that this Amendment After Final Rejection places the application in condition for allowance, will not require any additional searching by the Examiner and does not raise any new issues.

Reexamination and reconsideration of the application, and allowance of the claims is respectfully requested.

In the Final Office Action, claims 15, 17, 18, 25, 27, 29, 31, 33 and 34 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 5 of U.S. patent No. 6,688,223 to Dauner, in view of U.S. patent No. 5,292,298 to Scannell.

A Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent is enclosed. This is effective to overcome the double patenting rejection. The fee of \$110.00 for the submission of the Terminal Disclaimer is to be charged to the deposit account No. 10-1213 of the undersigned.

Claims 15, 17, 18, 25, 27, 29, 31, 33 and 34 were objected to because the word "conduit" in line 14 of claim 15 was incorrect. In currently amended claim 15 that term has been deleted. Such action is believed to overcome the objection to the claims.

Claims 15, 17, 18, 25, 27, 29, 33 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent No. 5,784,957 to Rau in view of U.S. patent No. 5,292,298 to Scannell. In the Final Office Action, it was asserted that Rau '957 teaches

a spiral shaped strip, as shown at 78 in Fig. 3 and that Rau '957 further describes a cylinder outer body, 50, as seen in Fig. 3, supported by that spiral shaped strip. It was further asserted that Rau '957 teaches that the cylinder outer body is non self-supporting and that it has a small wall thickness. As was discussed with Examiners Hinze and Hirshfeld during the interview held June 30, 2004, these assertions regarding the teachings of the Rau '957 reference are respectfully traversed.

Initially, claim 15 as currently pending in the subject U.S. patent application is directed primarily to the embodiment of the present invention, as depicted in Fig. 4 of the drawings. The cylinder outer body 3 is supported by the plurality of spiral shaped strips 26 that are on the circumference of the cylinder base body 02. The cylinder outer body 03 is shown in the depiction of Fig. 4 as having a small wall thickness. That outer body is claimed as being non self-supporting as is discussed in the Substitute Specification of the subject application. The limitation of prior dependent claim 33 has been added to claim 15 to further support the claim limitation that the cylinder outer body is non self-supporting and has a small wall thickness. This small wall thickness, in conjunction with the plurality of separate, spiral-shaped flow paths serves to insure that the cylinder outer body can be brought to a desired temperature quickly and that it will maintain this temperature uniformly.

In the Rau '957 patent there is shown, in Fig. 3, a transfer cylinder or a forme cylinder that has a cylinder jacket 50 and a separatory tube 51. An arrangement of spiral guide plates or baffle plates 78 are shown between the jacket 50 and the tube 51. These spiral guide plates or baffle plates 78 are recited in Rau '957 in Column 4, lines 8

and 9. There is no teaching or suggestion in Rau '957 either that the cylinder jacket 50 is non self-supporting and has a thin wall thickness, nor that it is supported by the spiral guide plates or baffle plates 78.

This lack of any teaching in the Rau '957 reference of the use of the spiral guide plates or baffle plates 78 to support the cylinder jacket 50 is reinforced by a review of U.S. patent No. 5,595,115, also to Rau. The Rau '957 patent is asserted as being a continuation of the Rau '115 patent. However, Rau '115, whose specification and drawings are generally the same as Rau '957, does not show the spiral guide plates or baffle plates in Fig. 3. In addition, Rau '115 recites that these elements are not shown, as set forth at Column 4, line 9.

Since one must assume that the Rau '115 patent discloses an operative device, which does not show the spiral guide plates or baffle plates and, in fact, shows nothing between the cylinder jacket 50 and the separatory tube 51, one must also assume that these spiral guide plates or baffle plates are not required for the support of the cylinder jacket 50. Thus the assertion in the Final Office Action to the contrary is respectfully traversed.

As was noted above, Rau '957 is silent regarding the thickness of the cylinder jacket 50. There is no teaching or suggestion in Rau '957 that the cylinder jacket is thin or non self-supporting. Any such assertion is a result of hindsight. Further, the absence of any support between the cylinder jacket 50 and the separatory tube 51, as shown in Rau '115 is further evidence that the structure of the cylinder jacket of Rau '957 does not anticipate, or render obvious the structure recited in currently amended

claim 15.

The secondary reference to Scannell does not supply the teachings missing from the Rau reference. Scannell shows a heat transfer roller with flow channels. There is no teaching, or suggestion in Scannell of the provision of a cylinder outer body that is non self-supporting and that has the ratio of wall thickness to axial length recited in currently amended claim 15. For these reasons, currently amended claim 15 is believed to be allowable over the prior art cited and relied on.

Claims 17, 18, 25, 27, 29, 31 and 34 all depend from believed allowable currently amended claim 15 and are carried forward. Claim 33 has been cancelled since its language has been included in currently amended claim 15.

SUMMARY

Claims 1-14, 16, 19-24, 26, 28, 30 and 32 were previously cancelled. Claim 15 is currently amended. Claim 33 is currently cancelled. Claims 17, 18, 25, 27, 29, 31 and 34 are carried forward.

It is believed that the claims now pending are patentable over the prior art cited and relied on by the Examiner, taken either singly or in combination. It is further believed that this Amendment After Final Rejection will not raise any new issues and will not require additional searching to be conducted by the Examiner.

Allowance of the claims, and passage of the application to issue is respectfully requested.

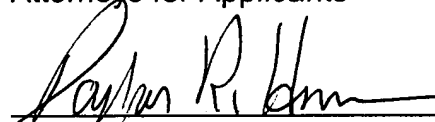
Respectfully submitted,

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